

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:05-CR-0157
	:	
v.	:	(Judge Conner)
	:	
KWAME DWUMAAH	:	

ORDER

AND NOW, this 26th day of January, 2007, upon consideration of defendant's motion (Doc. 71) for a writ of error coram nobis, and it appearing that defendant is serving a period of supervised release (see Doc. 43), and that supervised release qualifies as "custody" for purposes of 22 U.S.C. § 2255, see United States v. Dent, 135 F. App'x 532, 534 (3d Cir. 2005) (holding that supervised release meets the "custody" requirement set forth in 22 U.S.C. § 2255); Deshields v. Smith, 176 F. App'x 340, 342 (3d Cir. 2006) ("Coram nobis relief is an extraordinary remedy traditionally used to attack convictions with continuing consequences when the petitioner is no longer 'in custody' for § 2255 purposes."), it is hereby ORDERED that defendant's motion (Doc. 71) is DENIED without prejudice to defendant's right to file a motion under 22 U.S.C. § 2255.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge